

REMARKS

This is in full and timely response to the non-final Official Action of May 18, 2009. Reexamination in light of the following remarks is respectfully requested. No new matter has been added. Claims 1-8, 15, 17-21, and 23-27 are currently pending, with claims 1 and 27 being independent.

I. Priority Documents

It is noted with appreciation that the Office Action has acknowledged the claim for priority.

II. Information Disclosure Statement

Applicants thank the Examiner for providing an initialed copy of form PTO/SB/08a/b, which was submitted by the Applicants on May 18, 2009.

Also, consideration and acknowledgement of Information Disclosure Statement submitted herewith is respectfully requested.

III. Claim Rejection under 35 U.S.C. §112

Claim 1-27 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Specifically the Office Action asserts that it is unclear as to whether the claims are intended to be product or method claims. The rejection is respectfully traversed for at least reasons discussed below.

By the foregoing amendments, Applicants have amended the claims in order to claim a product. Applicants believe that the rejection has been overcome. Therefore, withdrawal of the rejection and allowance of these claims is respectfully requested.

Application No. 10/535,192
Amendment dated June 30, 2009
Reply to Office Action of April 2, 2009

Docket No.: SEM-0005

IV. Conclusion

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SEM-0005 from which the undersigned is authorized to draw.

Dated: June 30, 2009

Respectfully submitted,

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